

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the Request for Continued Examination filed on August 31, 2009.
2. Claims 1, 7, 9, 11, 13, 15, 17 - 21 are pending in current application.
3. Claims 1, 11, 17, 18 - 20 have been amended.
4. Claims 2 - 6, 8, 10, 12, 14, 16 have been cancelled.
5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 7, 9, 11, 13, 15, 17 - 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (US Pat No 5699056) in view of Myochin (US Pat Pub No 2005/0053310).

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As per Claim 1, 17 – 20, Yoshida shows a map information acquirer which acquires a plurality of map component information (Fig 2, GPS receiver 22, receiver 12; Col 2, lines 50 - Col 3, lines 65, jam information, location information); an information acquirer which acquires map component information forming the map information, the plurality of map component information respectively representing at least one of traffic information relating to a traffic status or feature information relating to a feature ( Fig 3, accident button 31A, traffic jam button 31B; Col 13, lines 40 – Col 15, lines 50, Fig 18; Col 2, lines 50 - Col 3, lines 65, jam information, location information); a time information acquirer which acquires a time at which the plurality of the map component information is acquired by the information acquirer or generated to be contained in the plurality of map component information ( Fig 15, Step 102, Step 101; Col 17, lines 18 - 43 ; where the time is added when the information is obtained ); the time being a start time and a timer which counts an elapsed time from start time up to a current time ( Fig 15, Step 101; Col 14, lines 19-48; Col 5, lines 45 – Col 6, lines 30, clocking means, claim 10 ); a display controller which controls a display unit to display the map information and the plurality of map component ( Fig 10; Col 12, lines 54 - 62 ); where the time comparison is made for a degree of reliability ( Intended use where the time comparison with predetermined time period is intended for recognize a degree of reliability, see applicant's abstract ); Further, it is also inherent that a start time must be shown since there is a predetermined time period where start elapsed from certain point and further where figure 15 shows the predetermined time elapsed along with a start time needed; where each plurality of map component information is given a time along with predetermined time period; Yoshida is silent regarding map component information of which the elapsed time exceeds a predetermined time period being displayed with

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a display pattern with higher transparency than the other of the plurality of map component information of which the elapsed time has not exceeded the predetermined time period; compares the counted elapsed time with a predetermined time period to determine a degree of each of the acquired plurality of map component information.

Myochin shows a display pattern of the map component information of which the counted elapsed time exceeds the predetermined time period is being displayed with a display pattern with higher transparency than a display pattern of the plurality of map component information of which the counted elapsed time has not exceeded the predetermined time period ( Fig 8, 13A time information 13B, mask transmittance information, 0 second to 10 second varying, alteration, accordingly with respect to the mask transmittance information, transparency, from 100% - 0%; where the time from 0 second - 10 second is the elapsed time to be calculated and used accordingly with respect to the image data alteration. Applicant's attention is further directed to para 0150 - 0152, where time 0 is starting time, time x is predetermined time, where time y is the elapsed time); Compares the counted elapsed time with a predetermined time period to determine a degree of each of the acquired plurality of map component information ( Fig 8, 13A time information 13B, mask transmittance information, 0 second to 10 second varying, alteration, accordingly with respect to the mask transmittance information, transparency, from 100% - 0%; where the time from 0 second - 10 second is the elapsed time to be calculated and used accordingly with respect to the image data alteration. Applicant's attention is further directed to para 0150 - 0152, where time 0 is starting time, time x is predetermined time, where time y is the elapsed time).

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It would have been obvious for one of ordinary skill in the art, to provide transparency means with respect to time, as taught by Myochin, to the map information means of Yoshida, in order to provide improved visual signification at the time of the invention

As per Claim 7, 9, 21, Yoshida shows a map information storage which stores the map information; and an information storage which can store plural pieces of information, in each piece each of the plurality of map component information and the time at which the each of the plurality of map component information is generated being associated; the information storage stores the plural pieces of information by associating unique identification information with each type of the map component information and the plural pieces of information by associating unique identification information with each type of the map component information. ( Fig 9, Center Computer 50, Fig 17, area id with respect to area id with preceding data, time, position, vehicle speed; Col 15, lines 20 – Col 16, lines 65; Col 17, lines 35 – col 19, lines 55 ); the map component information comprises an icon ( Fig 1, 4,8,9 ).

As per Claim 11, Yoshida shows when information acquirer acquires updated map component information of which unique identification information is identical with the unique identification information associated with one of stored plurality of map information, information storage conducts an updating by replacing stored plurality of map component information with the updated map component information ( Fig 8, transmitter 41, Fig 9, transmitter 51, Fig 62.63; Col 2, lines 50 - Col 3, lines65, jam information, location information).

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As per Claim 13, Yoshida shows when recognizing the updating the display controller displays the updated map component information in a different pattern from the other of the plurality of map component information (Fig 9, Center Computer 50, Fig 17, area id with respect to area id with preceding data, time, position, vehicle speed; Col 15, lines 20 – Col 16, lines 65; Col 17, lines 35 – col 19, lines 55).

As per Claim 15, Yoshida shows the display controller. Yoshida does not show controller displays such that a difference in transparency becomes large as the elapsed time become long. Myochin shows controller displays such that a difference in transparency becomes large as the elapsed time becomes long. (See Fig 8, Time information 13A, Mask Transmittance Information 13B; Para 0050, 0051, 0053; Para 0139, 0144-0146; See Fig 9, S210 – S212; Para 0201, timer of timing section 135H).

It would have been obvious for one of ordinary skill in the art, to provide transparency means with respect to time, as taught by, to Myochin, in order to provide improved visual signification at the time of the invention

### ***Response to Arguments***

**8.** Applicant's arguments filed on August 31th, 2009 have been fully considered and reviewed but are not particularly persuasive.

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9. In response to applicant's remark that Myochin does not show the transparency but instead showed the two superimpose image. However, it is the intrinsic property that the two superimposed image ought to be shown for transparent since one of the transparented image superimposed are faded/blurred to be less clear/apparent with the decreasing of time in order to constructed a superimpose image. Further, applicant's specification also states the map information in which icons are displayed in a superposing manner, see Paragraph 0022. Applicant is further invited to submit reference to demonstrate applicant's application is constructed otherwise. Upon further submittation, applicant's remark will be further reviewed and considered.

10. In response to applicant's remark that Myochin show the time y is actually the time at which the image data 11B is masked and time x is actually the time at which it fully emerges and no relation between x and y are characterizable either as elapsed time or predetermined time. Applicant's attention is directed to Myochin where the relationship of x and y are to be characterized on Paragraph 0150, using expression  $0 < y < x$ , where the transparency is increased while time y is masked along with time x is the time at which it fully emerges at the maximum time, the predetermined time, during the time elapsed between 0 and x.; Further, Fig 8, 13A time information along with 13B, mask transmittance information, where the time information starting from 0 second to 10 second varying, alteration, accordingly with respect to the mask transmittance information, transparency, from 100% - 0%.

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**11.** In response to applicant's remark that Myochin shows only mask cell data 23 but not show informational that is displayed. Applicant's attention is directed to primary reference, Yoshida (US Pat No 5699056), where Yoshida shows the information that is displayed. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this instant case, applicant stated claim limitation is primarily been shown by the primary reference, Yoshida, where the secondary reference, Myochin is merely to provide an information display apparatus for Yoshida's use.

### ***Conclusion***

**12.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- JP 09/292834 shows a traffic information receiving, controlling and displaying device. The device provide route/path delay information on display device, Para 0014, where the display information changes its shape/color with respect to travel distance and fixed time. Para 0014 – 0021.
- JP 2003/ 222528 shows the traffic information displaying device with respect to the display of transition of delay and and/or transition of a passage duration on delay transition data, Para 0017; Para 0023 - 27 shows information display processing with respect to time.

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- JP 2001/159532, shows navigation map screen display control device, provide information component along the route while vehicle traveling.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IAN JEN whose telephone number is (571) 270-3274. The examiner can normally be reached on Monday - Friday 9:00-6:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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